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JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: J. P. Bourguignon  
Appln. No.: 10/087,011  
Confirm. No.: 3397  
Filed: February 26, 2002  
Title: NEW PEPTIDE ANTAGONISTS AT  
GLUTAMATE AND NMDA RECEPTORS

PATENT APPLICATION

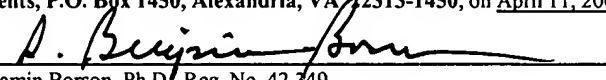
Art Unit: 1631

Examiner:

Customer No. 23910

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 11, 2005.

 (Attorney Signature)  
D. Benjamin Borson, Ph.D., Reg. No. 42,349  
Signature Date: April 11, 2005

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

***Enclosed with this statement are the following:***

- ✓ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ✓ The present application was filed prior to June 30, 2003. A copy of each cited document as required by 37 C.F.R. §1.98 is enclosed.
- ***PTA Statement under 37 C.F.R. §1.704(d).*** Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart

application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement*.

***This statement should be considered because:***

✓ **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

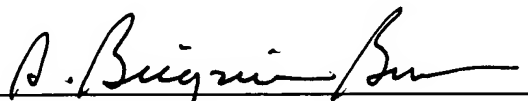
- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);  
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;  
-- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits,  
-- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

✓ ***Fee Authorization.*** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325.

Respectfully submitted,

FLIESLER MEYER LLP

Date: April 11, 2008

By:   
D. Benjamin Borson, Ph.D.  
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Sheet \_\_\_\_ of \_\_\_\_

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|--|--|--|---|
| Form PTO-1449<br>(Substitute)<br><br><b>Information Disclosure Statement</b><br><b>BY APPLICANT</b><br>(Use several sheets if necessary) | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE | Attorney Docket Number<br><b>NRNZ-01001US2</b>     | Serial/Patent Number<br><b>10/087,011</b> |
|  |  | Applicant/Patent Owner<br><b>J. P. Bourguignon</b> |   |
|  |  | Filing/Issue Date<br><b>Feb. 26, 2002</b>          | Group Art Unit<br><b>1631</b>             |

| OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)  |  |
|---|--|
|   | SARA V. R. et al., Identification of Gly-Pro-Glu (GPE), The Aminoterminal Tripeptide Of Insulin-Like Growth Factor 1 Which is Truncated In Brain, As A Novel Neuroactive Peptide, Biochemical And Biophysical Research Communications, 1989, Vol.165, No. 2, p.766-771 |
|   | BOURGUIGNON JP. et al., Direct Activation of Gonadotropin-Releasing Hormone Secretion Through Different Receptors to Neuroexcitatory Amino Acids, Neuroendocrinology, 1989, Vol.49, No. 4, p.402-408   |
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|   | CHOI D. W., Glutamate Neurotoxicity And Diseases Of The Nervous System, Neuron, 1988, Vol.1, No. 8, p.623-634  |
|   |  |
| Examiner  | Date Considered  |
| <b>*EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |  |
| *1 = Copy not submitted because it was submitted in prior application SN __/____, filed _____, 20____, relied on under 35 USC §120.   |  |
| *2 = Copy not submitted because it was submitted in prior application SN __/____, filed _____, 20____, relied on under 35 USC §120.   |  |



**STATEMENT**

*(Attachment to Information Disclosure Statement)*  
*(Use only if required)*

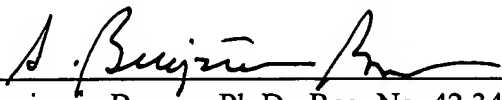
✓ 37 C.F.R. §1.97(e)(1). THE UNDERSIGNED ATTORNEY HEREBY STATES THAT each item of information contained in this *Information Disclosure Statement* was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this *Information Disclosure Statement*; or

— 37 C.F.R. §1.97(e)(2). THE UNDERSIGNED ATTORNEY HEREBY STATES THAT no item of information contained in this *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this *Information Disclosure Statement* was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

Respectfully submitted,

FLIESLER MEYER LLP

Date: April 11, 2005

By:   
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